

THE LAW OFFICES OF MARTIN E. RESTITUYO, P.C.
1345 Avenue of the Americas, 2nd Floor, New York, New York 10105

Martin E. Restituyo
Tel: 212-729-7900
Fax: 212-729-7490
restituyo@restituyolaw.com

March 28, 2018

VIA ECF Filing

Hon. Paul G. Gardephe
United States District Court Judge
Thurgood Marshall
United States Courthouse
40 Foley Square, Room 705
New York, NY 10007

Re: *Fitz v. Bethel Gourmet Food Corp.*, CA No. 17-cv-08919

Dear Judge Gardephe:

This firm represents the Plaintiffs in the above referenced matter. I write to request the Court's assistance with respect to a mutually acceptable settlement that was agreed to by the parties at mediation on March 22, 2018.

As detailed in the attached Settlement Agreement, the parties agreed to a minimum guaranteed payment for the Plaintiffs with the potential for a higher recovery if an independent auditor determines that Defendants have additional available assets. The Settlement Agreement, at Section 2.3, further establishes that the Court will appoint said independent auditor, which is to be paid for by the Defendants.

Thus, we respectfully request the Court's assistance in appointing an independent auditor to review Defendants assets and determine whether any more are be available to settle Plaintiffs' claims.

We thank the Court for its attention to this matter and make ourselves available to respond to any concerns it may have.

Very truly yours,


Martin E. Restituyo, Esq.